



1641  
IFC

PATENT  
Customer Number 22,852  
Attorney Docket No. 05552.0265-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Heinz-Jürgen FRIESEN et al. )  
Serial No.: 09/820,974 ) Group Art Unit: 1641  
Filed: March 30, 2001 ) Examiner: Christopher L. Chin  
Allowed: September 21, 2004 ) Confirmation No.: 5252  
For: SHEET-LIKE DIAGNOSTIC DEVICE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**LETTER REQUESTING ACKNOWLEDGMENT  
OF INFORMATION DISCLOSURE STATEMENT  
FILED UNDER 37 C.F.R. § 1.97**

An Information Disclosure Statement was filed in this application on January 8, 2003. In reviewing our files, we find that we have not received from your Office a copy of the Form PTO-1449 which would serve as acknowledgment of receipt of the Information Disclosure Statement and as an indication that the references were considered by the examiner.

A copy of the Information Disclosure Statement, the Information Disclosure Citation on Form PTO-1449, and of the post card that was filed with the Information Disclosure Statement and was stamped by the U.S. Patent and Trademark Office to indicate receipt of the papers, is attached.

The examiner is respectfully requested either to send us a duplicate of the copy of the Form PTO-1449 or issue a Supplemental Notice of Allowability (PTOL-37) which both acknowledges receipt of the Information Disclosure Statement and the Information Disclosure Citation, and indicates that the references were considered by the Examiner.

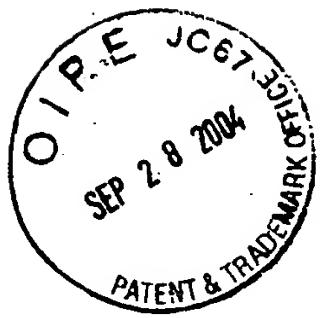
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 28, 2004

By: Carol P. Einaudi

Carol P. Einaudi  
Reg. No. 32,220



BEST AVAILABLE COPY

DC  
FILE COPY

5552.0265-04

CPE/m23/m23

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

In Re Application of: Heinz-Jürgen FRIESEN et al. *RECEIVED*

Serial No.: 09/820,974

09 Group Art Unit 16230

Filed: March 30, 2001

Examiner: Christopher L. CHIN

For: SHEET-LIKE DIAGNOSTIC DEVICE

---

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(c) (2 pages);
2. Form PTO 1449 (3 pages); and
3. Check No. 049541 \$180.00 for IDS fee.

Dated: January 8, 2003

Docket No.: 05552.0265-04000

MPB/MRA/nyf

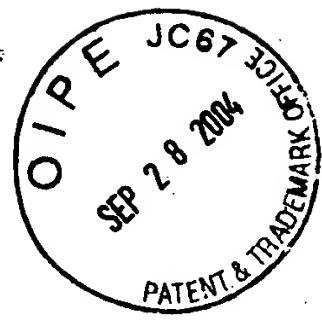
**VIA HAND DELIVERY**

(Due Date: None)

**PLEASE RETURN TO REGIONAL DESK -- CA OFFICE**

Original sent to  
Regional Office PAO/MPB  
on 1/10/03

01/03/03 3



PATENT  
Customer No. 22,852  
Attorney Docket No. 5552.0265-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Heinz-Jürgen FRIESEN et al. ) Group Art Unit: 1641  
Application No.: 09/820,974 ) Examiner: Christopher L. CHIN  
Filed: March 30, 2001 )  
For: SHEET-LIKE DIAGNOSTIC )  
DEVICE )

Commissioner for Patents  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents were previously submitted or were cited by the Examiner in U.S. Application Serial No. 08/544,579, filed October 18, 1995, now U.S. RE37437 E; Interference No. 103,072; or U.S. Application Serial No. 06/808,563, filed December 13, 1985, now U.S. Patent No. 4,861,711. Applicants rely upon those two applications for the benefits provided under 35 U.S.C. § 120. Applicants respectfully

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 7, 2003

By: Robert W. Mann

Robert W. Mann  
Reg. No. 48,555

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

## INFORMATION DISCLOSURE CITATION

|                  |                             |                  |            |            |
|------------------|-----------------------------|------------------|------------|------------|
| Atty. Docket No. | 05552.0265-04000            | P E<br>J.C. 2004 | Appln. No. | 09/820,974 |
| Applicant        | Heinz-Jürgen FRIESEN et al. |                  |            |            |
| Filing Date      | March 30, 2001              | SEP 28 2004      | Group:     | 1641       |

PATENT & TRADEMARK OFFICE  
U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name            | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|-----------------|-------|-----------|----------------------------|
|                   | 3,620,677       | 11/16/1971 | Morison         |       |           |                            |
|                   | 3,847,553       | 11/12/1974 | Verbeck         |       |           |                            |
|                   | 4,094,647       | 06/13/1978 | Deutsch et al.  |       |           |                            |
|                   | 4,258,001       | 03/24/1981 | Pierce et al.   |       |           |                            |
|                   | 4,361,537       | 11/30/1982 | Deutsch et al.  |       |           |                            |
|                   | 4,366,241       | 12/28/1982 | Tom et al.      |       |           |                            |
|                   | 4,446,232       | 05/01/1984 | Liotta          |       |           |                            |
|                   | 4,447,526       | 05/08/1984 | Rupchock et al. |       |           |                            |
|                   | 4,459,358       | 07/10/1984 | Berke           |       |           |                            |
|                   | 4,472,498       | 09/18/1984 | Masuda et al.   |       |           |                            |
|                   | 4,496,654       | 01/29/1985 | Katz et al.     |       |           |                            |
|                   | 4,496,658       | 01/29/1985 | Kondo           |       |           |                            |
|                   | 4,517,288       | 05/14/1985 | Giegel          |       |           |                            |
|                   | 4,594,327       | 06/10/1986 | Zuk             |       |           |                            |
|                   | 4,631,174       | 12/23/1986 | Kondo           |       |           |                            |
|                   | 4,690,907       | 09/01/1987 | Hibino et al.   |       |           |                            |
|                   | 4,740,468       | 04/26/1988 | Weng            |       |           |                            |
|                   | 4,756,828       | 07/12/1988 | Litman et al.   |       |           |                            |
|                   | 4,757,004       | 07/12/1988 | Houts et al.    |       |           |                            |
|                   | 4,861,711       | 08/29/1989 | Friesen et al.  |       |           |                            |
|                   | 5,073,484       | 12/17/1991 | Swanson et al.  |       |           |                            |
|                   | 5,120,643       | 06/09/1992 | Ching et al.    |       |           |                            |
|                   |                 |            |                 |       |           |                            |

## FOREIGN PATENT DOCUMENTS

|  | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|--|-----------------|------------------|---------|-------|-----------|-----------------------|
|  | CA 1185882      | 4/23/1985        | CA      |       |           |                       |

## INFORMATION DISCLOSURE CITATION

|                  |                               |            |            |
|------------------|-------------------------------|------------|------------|
| Atty. Docket No. | 05552.0265-04000              | Appln. No. | 09/820,974 |
| Applicant        | Heinz-Jürgen FRIESEN et al.   |            |            |
| Filing Date      | March 30, 2001<br>SEP 28 2004 | Group:     | 1641       |

## FOREIGN PATENT DOCUMENTS

|  | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No             |
|--|-----------------|------------------|---------|-------|-----------|-----------------------------------|
|  | DE 23 32 760    | 03/04/1982       | DE      |       |           | No, counterpart to GB 1 440 464   |
|  | DE 30 43 608    | 06/24/1982       | DE      |       |           | No, counterpart to CA 1185882     |
|  | DE 33 29 628    | 03/22/1984       | DE      |       |           | No, counterpart to GB 2126224     |
|  | DE 33 29 728    | 02/23/1984       | DE      |       |           |                                   |
|  | EP 0 046 004    | 02/17/1982       | EP      |       |           |                                   |
|  | EP 0 052 328    | 05/26/1982       | EP      |       |           |                                   |
|  | EP 0 088 636 A2 | 09/14/1983       | EP      |       |           |                                   |
|  | EP 0 097 952 A2 | 01/11/1984       | EP      |       |           |                                   |
|  | EP 0 100 619    | 02/15/1984       | EP      |       |           |                                   |
|  | EP 0 186 799    | 07/09/1986       | EP      |       |           | No, counterpart to U.S. 4,861,711 |
|  | FR 2 191 734    | 01/02/1974       | FR      |       |           | No, counterpart to GB 1 440 464   |
|  | GB 1 440 464    | 06/23/1976       | GB      |       |           |                                   |
|  | GB 2126224      | 03/21/1984       | GB      |       |           |                                   |
|  | JP 48-5925      | 01/25/1973       | JP      |       |           |                                   |
|  | JP 53-47894     | 04/28/1978       | JP      |       |           | No, counterpart to U.S. 4,094,647 |
|  | JP 55-90859     | 07/09/1980       | JP      |       |           | No, counterpart to U.S. 4,258,001 |
|  | JP 57-113363    | 07/14/1982       | JP      |       |           | No, counterpart to CA 1185882     |
|  | JP 58-76763     | 05/09/1983       | JP      |       |           | No, counterpart to U.S. 4,446,232 |
|  | JP 58-179357    | 10/20/1983       | JP      |       |           | No, counterpart to U.S. 5,073,484 |
|  | JP 61-145459    | 07/03/1986       | JP      |       |           | No, counterpart to U.S. 4,861,711 |
|  |                 |                  |         |       |           |                                   |

## INFORMATION DISCLOSURE CITATION

|                  |                      |           |            |
|------------------|----------------------|-----------|------------|
| Atty. Docket No. | 05552.0265-04000     | Appn. No. | 09/820,974 |
| Applicant        | Heinz-Jürgen FRIESEN |           |            |
| Filing Date      | March 30, 2001       | Group:    | 1641       |

SEP 28 2004

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |
|--|--|
|  | Hawkes et al., "A Dot-Immunobinding Assay for Monoclonal and Other Antibodies", <i>Analytical Biochemistry</i> , 119(1):142-147 (1982).  |
|  | Hashimoto, <i>Thin Layer Chromatography</i> , pp. 1-4 (Hirokawa Shoten 1962, Tokyo) (with English translation).  |
|  | Maruzen, <i>Experimental Chemistry Course 2 Fundamental Techniques II</i> , pp. 215-216 (Japan Chemistry Society ed. 1956, Tokyo) (with English translation).  |
|  | Maruzen, <i>Experimental Chemistry Guidebook</i> , pp. 218-219 (Japan Chemistry Society ed. 1984, Tokyo) (with English translation).   |
|  | Nakamura, "General Principles of Immunoassays," <i>Immunochemical Assays and Biosensor Technology for the 1990's</i> , pp. 3-7 (Robert Nakamura ed., American Society for Microbiology 1992, Washington, D.C.).    |
|  | Nanzandō, <i>Thin Layer Chromatography</i> , pp. 40-41 (Masayuki Ishikawa et al. ed. 1963, Tokyo) (with English translation).  |
|  | Suzuki, "Tests in Thin Layer Chromatography," <i>Hirokawa Chemical Series No. 3</i> , pp. 18-20, (Hirokawa Shoten 1964, Tokyo) (with English translation).   |
|  | Towbin et al., "Electrophoretic Transfer of Proteins from Polyacrylamide Gels to Nitrocellulose Sheets: Procedure and Some Applications," <i>Proc. Natl. Acad. Sci.</i> , 76(9):4350-4354 (1979).                  |
|  | van Raamsdonk et al., "Detection of Antigens and Antibodies by an Immuno-Peroxidase Method Applied on Thin Longitudinal Sections of SDS-Polyacrylamide Gels," <i>J. Immunological Methods</i> , 17:337-348 (1977). |
|  | Zuk et al., "Enzyme Immunochromatography - A Quantitative Immunoassay Requiring No Instrumentation," <i>Clin. Chem.</i> , 31(7):1144-1150 (1985).  |

|               |  |
|---------------|--|
| Examiner      | Date Considered  |
| *Examiner:    | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce  |
|               |  |